

ESTTA Tracking number: **ESTTA758998**

Filing date: **07/18/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

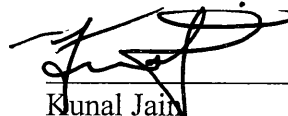
Proceeding	91214086
Party	Plaintiff Starbuzz Tobacco, Inc.
Correspondence Address	NATU J PATEL THE PATEL LAW FIRM PC 22952 MILL CREEK DRIVE LAGUNA HILLS, CA 92653 UNITED STATES NPatel@thePatelLawFirm.com, MUy@thePatelLawFirm.com, JChuan@thePatelLawFirm.com, dngai@thepatellawfirm.com, kjain@thepatellawfirm.com
Submission	Motion to Compel Discovery
Filer's Name	Natu J. Patel
Filer's e-mail	NPatel@ThePatelLawFirm.com, KJain@ThePatelLawFirm.com, DN-gai@ThePatelLawFirm.com, MUy@ThePatelLawFirm.com, JCriss-man@ThePatelLawFirm.com
Signature	/natupatel/
Date	07/18/2016
Attachments	SB - Motion to Deem RFA as Admitted 071816.pdf(452504 bytes ) SB - Dec ISO Motion to Deem RFA as Admitted 071816.pdf(1692648 bytes )



This motion is based upon this Notice, the attached Memorandum of Points and Authorities, the Declaration of Kunal Jain, the pleadings, records and files in this action, and upon such other documentary evidence as requested by the Trademark Trial and Appeal Board.

Dated: July 18, 2016

Respectfully Submitted,  
**THE PATEL LAW FIRM, P.C.**

A handwritten signature in black ink, appearing to be 'Kunal Jain', written over a horizontal line.

Kunal Jain  
Natu J. Patel  
Daniel H. Ngai  
Attorneys for Starbuzz  
Starbuzz Tobacco, Inc.

## **POINTS AND AUTHORITIES**

### **BRIEF STATEMENT OF SALIENT FACTS**

On November 19, 2013, Applicant, Philip Melnick's ("Applicant") § 1(b) application for the "MYST" mark was published for opposition by the United States Patent and Trademark Office ("USPTO"). On December 18, 2013, Starbuzz Tobacco, Inc., ("Starbuzz") filed an Opposition to the "MYST" application based on Starbuzz's "MIST" related registrations in the same international class. Starbuzz now brings this motion for an order that its Requests for Admissions (Set One) propounded in that proceeding be deemed admitted.

### **DISCOVERY DISPUTE**

Starbuzz served Applicant with Requests for Admission (Set One) ("RFA") on June 6, 2016. See the Declaration of Kunal Jain ("Jain Decl.") ¶ 1, **Exhibit A**, concurrently filed herewith. Pursuant to the Trademark Trial and Appeal Board Manual of Procedure ("TBMP") § 403.03, Applicant's responses to Starbuzz's RFAs were due within 30 days (allowing 5 extra days for mail service), by July 11, 2016.

On July 13, 2016, after not receiving any responses or objections to the RFAs, Starbuzz sent an email to Applicant informing him that, among other things, the RFAs are deemed admitted. Jain Decl. ¶ 2, **Exhibit B**. As of today, Starbuzz has not received any response to its July 13, 2016 email. Jain Decl. ¶ 3.

### **RFAs Should Be Deemed Admitted Because Applicant Has Failed to Timely Respond or Otherwise Object.**

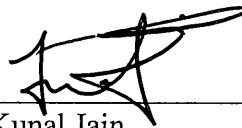
Federal Rule of Civil Procedure 36(a)(3) and TBMP § 524 provide that RFAs are admitted unless, within 30 days after being served, the party to whom the requests is directed, serves on the Requesting party a written answer or objection addressed to the matter and signed

by the party or its attorney. *Fram Trak Industries v. Wiretracks LLC*, 77 USPQ2d 2000, 2005 (TTAB 2006).

Applicant failed to respond to Starbuzz's June 6, 2016 RFAs by the July 11, 2016 statutory deadline. Moreover, Applicant completely ignored Starbuzz's subsequent July 13, 2016 email, and provided absolutely no excuse for failing to respond or otherwise object to Starbuzz's RFAs. Jain Decl. ¶¶ 2 - 3. Consequently, pursuant to Rule 36(a)(3) of the Federal Rules of Civil Procedure and TBMP § 524, Starbuzz respectfully moves the Board for an order that Starbuzz's RFAs propounded on Applicant be deemed admitted.

Dated: July 18, 2016

Respectfully Submitted,  
The Patel Law Firm, P.C.



---

Kunal Jain  
Natu J. Patel  
Daniel H. Ngai  
Attorneys for Starbuzz  
Starbuzz Tobacco, Inc.

The Patel Law Firm, P.C.  
22952 Mill Creek Drive  
Laguna Hills, CA 92653  
Telephone: (949) 955-1077  
Facsimile: (949) 955-1877  
NPatel@thePatelLawFirm.com  
NJP/kj

**CERTIFICATE OF SERVICE**

I certify that a copy of this **NOTICE OF MOTION AND MOTION FOR AN ORDER DEEMING STARBUZZ TOBACCO, INC.'S REQUESTS FOR ADMISSIONS (SET ONE) ADMITTED** is being served via U.S. mail, postage prepaid, on this the 18th day of July, 2016, to the following:

**Applicant's Attorney/Representative:**

PHILIP MELNICK  
PO BOX 131822  
STATEN ISLAND, NY 10313  
UNITED STATES  
philipmelnick@aol.com

  
\_\_\_\_\_  
Korey Dufek

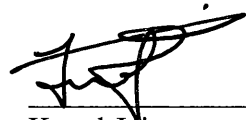


A true and correct copy of the e-mail sent to Applicant demanding responses are attached hereto as **Exhibit B.**

3. As of the date of this declaration, July 18, 2016, Starbuzz has not received any response to the July 13, 2016 e-mail.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 18th day of July, 2016, at Laguna Hills, California.

  
\_\_\_\_\_  
Kunal Jain

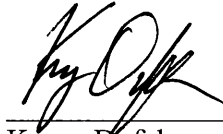


**CERTIFICATE OF SERVICE**

I certify that a copy of this **DECLARATION OF KUNAL JAIN IN SUPPORT OF AN ORDER THAT APPLICANT'S RESPONSE TO OPPOSER'S REQUESTS FOR ADMISSIONS (SET ONE) BE DEEMED ADMITTED** is being served via U.S. mail, postage prepaid, on this the 18th day of July, 2016, to the following:

**Applicant's Attorney/Representative:**

PHILIP MELNICK  
PO BOX 131822  
STATEN ISLAND, NY 10313  
UNITED STATES  
philipmelnick@aol.com



\_\_\_\_\_  
Korey Dufek

## **Exhibit A**

**IN THE UNITED STATES PATENT AND TRADE MARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

*In the Matter of Application Serial No. 85/774,314*

**Mark:** *MYST*

***Filed: November 8, 2012***

***Published: November 19, 2013***

STARBUZZ TOBACCO, INC.,

Opposer,

VS.

PHILLIP MELNICK,

Applicant.

**OPPOSITION NO: 91214086**

**OPPOSER STARBUZZ TOBACCO,  
INC.'S REQUESTS FOR ADMISSION TO  
APPLICANT PHILIP MELNICK (SET  
ONE)**

**PROPOUNDING PARTY:                    STARBUZZ TOBACCO, INC.**

**RESPONDING PARTY:** PHILIP MELNICK

**SET NUMBER: ONE**

**TO APPLICANT PHILIP MELNICK AND HIS ATTORNEY OF RECORD:**

**PLEASE TAKE NOTICE** that pursuant to Federal Rules of Civil Procedure 36,

Opposer, Starbuzz Tobacco, Inc., submits the following Requests for Admission to Applicant, Philip Melnick, to be responded to fully within thirty (30) days of service thereto.

## **DEFINITIONS**

Unless the context clearly requires otherwise, the following definitions and instructions shall apply to these requests and all other discovery requests in this action unless otherwise provided:

1. As used herein, the term “and” includes “or,” and the term “or” includes “and.”
2. “Applicant,” “Melnick,” “You,” or “Your” (or any derivative thereof) shall refer to Applicant Philip Melnick, including any companies, subsidiaries, affiliates, employees, agents, officers, directors, attorneys, contractors, accountants, consultants, investigators, predecessors, and successors-in-interests and all persons acting or purporting to act on Applicant’s behalf.
3. “Opposer” or “Starbuzz” shall refer to Starbuzz Tobacco, Inc., a California corporation, and Opposer in the above-captioned matter.
4. “Applicant’s Mark” shall refer to the words “MYST”, which You are currently using or intend to use in connection with Your electronic cigarette products.
5. “BLUE MIST” shall refer to Opposer’s registered trademark “BLUE MIST” (Registration No. 3,619,407).
6. “CITRUS MIST” shall refer to Opposer’s registered trademark “CITRUS MIST” (Registration No. 3,695,500).
7. “PEACH MIST” shall refer to Opposer’s registered trademark “PEACH MIST” (Registration No. 4,287,968).
8. “TROPICAL MIST” shall refer to Opposer’s registered trademark “TROPICAL MIST” (Registration No. 4,196,957).
9. “Opposer’s Marks” shall individually and collectively refer to Opposer’s

registered trademarks “BLUE MIST” (Registration No. 3,619,407), “CITRUS MIST” (Registration No. 3,695,500), “PEACH MIST” (Registration No. 4,287,968), “TROPICAL MIST” (Registration No. 4,196,957).

10. “USPTO” shall refer the United States Patent and Trademark Office.

11. “Application” shall refer to Your USPTO application for the registration of Applicant’s Mark “MYST” (Serial No. 85/774,314).

12. “Opposition” shall refer to the Notice of Opposition filed by Opposer with respect to Your Application (Opposition No. 91214086).

13. “Answer” shall refer to the Answer to the Opposition, which was filed on or about July 30, 2014.

14. “Products” shall refer to the electronic cigarette products, which You are currently selling or intend to sell bearing Applicant’s Mark.

15. “Channels of Trade” shall refer to the methods by which You sell products, including, but not limited to, via mail order, internet, facsimile and telephone sales, use of agents to sell directly to customers on Your behalf, and distribution of products to retailers.

16. “Media Channels” shall refer to any and all means or methods by which You advertise, market or offer products to the public for sale, including, without limitation, use of direct mail, the telephone, journals, magazines, television, the internet, retail locations, and stores.

17. “Document(s)” means any writing or recording as defined in Rule 1001 of the Federal Rules of Evidence, including but not limited to, any written, printed, typed, recorded, or other graphic matter of any kind or nature and shall include, without limitation, all writings, drawings, graphs, charts, books, technical materials, photographs, microfilm, magnetic media,

computer records, electronically stored information, and other media from which information can be obtained. This will include, without limitation, all drafts of such documents, by whatever means made, specifically including, without limitation, initials, stamped indicia, comments, or notations not a part of the original text or photographic reproduction thereof, as a separate document. “Document” shall also include any data compilation from which information can be obtained or translated if necessary by You through detection devices into reasonably usable form.

18. When referring to a person, to “Identify” means to give, to the extent known, the person’s full name, present or last known address, and, when referring to a natural person, the present or last known place of employment and e-mail address. When referring to a company, to “Identify” means to give, to the extent known, the company’s full corporate name, a brief description of the general nature of the business, its state of incorporation, the address and principal place of business; and the identity of the officers or other persons having knowledge of the matter with respect to which the company has been identified. Once a person or company has been identified in accordance with this subparagraph, only the name of that person or company need be listed in response to subsequent discovery requesting the identification of that person or company.

19. When referring to documents, “to “Identify” means to give, to the extent known, the (a) type of document; (b) general subject matter; (c) date of the document; and (d) author(s), addressee(s), and recipient(s).

20. “Person” includes, without limitation, any natural person, proprietorship, corporation, partnership, trust, joint venture, association, organization, business entity or governmental agency.

21. “Describe,” “Refer,” “Relate,” “Relating To” and “Relates To” mean, without limitation, relating to, regarding, constituting, concerning, mentioning, referring to, describing, summarizing, evidencing, listing, relevant to, demonstrating, or tending to prove, disprove, or explain.

22. “Communication” means any transfer of information of any kind, orally, in writing, or by any other manner, at any time or place, and under any circumstances whatsoever and shall include, but is not limited to, the following: contracts or agreements; drawings or sketches; invoices, orders, or acknowledgements; diaries or reports; forecasts or appraisals; memoranda of telephonic or in person communications by or with any person; other memoranda, letters, telegrams, telexes, or cables prepared, drafted, received or sent; tapes transcripts, or recordings; photographs, pictures, or films; computer programs, computer data, or computer printouts; or graphic, symbolic, recorded, or written materials of any nature whatsoever.

23. **PRIVILEGE ASSERTED.** Where a request calls for the production of a document as to which a claim of privilege is asserted, please set forth the following with respect to each document:

(a) The type of document;

(b) The date of the document;

(c) The name, business address and present position of the author(s) or originator(s) of the document;

(d) The position of the author(s) or originator(s) of the document at the time the document was prepared;

(e) The names and address of all persons or entities who have received a copy of the document;

(f) The position of each recipient of the document at the time the document was prepared and at the time the document was received;

(g) A general description of the subject matter of the document;

(h) All information contained in the document to which the claimed privilege is not asserted;

(i) All information contained in the document to which the claimed privilege is not asserted;

(j) If the protection of the work product doctrine is asserted, the proceeding in anticipation of which the document was prepared.

24. The use of the singular includes the plural, and vice versa.

25. The use of one gender includes all others, appropriate in context.



## **REQUESTS FOR ADMISSION**

### **REQUEST FOR ADMISSION NO. 1:**

Admit that You sell Your Products over the Internet.

### **REQUEST FOR ADMISSION NO. 2:**

Admit that You sell Your Products in the United States.

### **REQUEST FOR ADMISSION NO. 3:**

Admit that You did not sell or distribute any of Your Products over the Internet prior to October 1, 2012.

### **REQUEST FOR ADMISSION NO. 4:**

Admit that You did not sell or distribute Your Products in the United States prior to October 1, 2012.

### **REQUEST FOR ADMISSION NO. 5:**

Admit that You promote Your Products over the Internet.

### **REQUEST FOR ADMISSION NO. 6:**

Admit that You promote Your Products in the United States.

### **REQUEST FOR ADMISSION NO. 7:**

Admit that the goods You offer in connection with Applicant's Mark are "Electronic Cigarettes"

### **REQUEST FOR ADMISSION NO. 8:**

Admit that You sell Your Products through retail outlets in the United States.

### **REQUEST FOR ADMISSION NO. 9:**

Admit that You sell Your Products through distributors in the United States.

**REQUEST FOR ADMISSION NO. 10:**

Admit that You sell Your Products through wholesalers in the United States.

**REQUEST FOR ADMISSION NO. 11:**

Admit that You sell Your Products directly to individual consumers in the United States.

**REQUEST FOR ADMISSION NO. 12:**

Admit that prior to the filing of the Opposition, You were aware of Opposer.

**REQUEST FOR ADMISSION NO. 13:**

Admit that prior to filing the Application, You were aware of Opposer's "BLUE MIST" mark.

**REQUEST FOR ADMISSION NO. 14:**

Admit that prior to filing the Application, You were aware of Opposer's "CITRUS MIST" mark.

**REQUEST FOR ADMISSION NO. 15:**

Admit that prior to filing the Application, You were aware of Opposer's "PEACH MIST" mark.

**REQUEST FOR ADMISSION NO. 16:**

Admit that prior to filing the Application, You were aware of Opposer's "TROPICAL MIST" mark.

**REQUEST FOR ADMISSION NO. 17:**

Admit that prior to filing the Application, You were aware that Opposer had obtained a USPTO trademark registration for the "BLUE MIST" mark.

**REQUEST FOR ADMISSION NO. 18:**

Admit that You willfully continued to use Applicant's Mark after You learned of Opposer's "BLUE MIST" mark.

**REQUEST FOR ADMISSION NO. 19:**

Admit that prior to filing the Application, You were aware that Opposer had obtained a USPTO trademark registration for the "CITRUS MIST" mark.

**REQUEST FOR ADMISSION NO. 20:**

Admit that You willfully continued to use Applicant's Mark after You learned of Opposer's "CITRUS MIST" mark.

**REQUEST FOR ADMISSION NO. 21:**

Admit that prior to filing the Application, You were aware that Opposer had obtained a trademark registration for the "TROPICAL MIST" mark.

**REQUEST FOR ADMISSION NO. 22:**

Admit that You willfully continued to use Applicant's Mark after You learned of Opposer's "TROPICAL MIST" mark.

**REQUEST FOR ADMISSION NO. 23:**

Admit that prior to filing the Application, You searched the USPTO's database of trademarks for registrations containing the word "MIST".

**REQUEST FOR ADMISSION NO. 24:**

Admit that You sell Your Products through the same Channels of Trade that Opposer uses to sell products bearing Opposer's Marks.

**REQUEST FOR ADMISSION NO. 25:**

Admit that You market and promote Your Products through the same Media Channels that Opposer uses to market and promote products bearing Opposer's Marks.

**REQUEST FOR ADMISSION NO. 26:**

Admit that You sell Your Products to retailers who also sell other brands of smoking products.

**REQUEST FOR ADMISSION NO. 27:**

Admit that You sell Your Products to retailers who also sell products bearing Opposer's Marks.

**REQUEST FOR ADMISSION NO. 28:**

Admit that You have sold Your Products to retailers who also sell Opposer's smoking products bearing the "BLUE MIST" mark.

**REQUEST FOR ADMISSION NO. 29:**

Admit that You plan to sell Your Products to retailers who also sell Opposer's smoking products bearing the "BLUE MIST" mark.

**REQUEST FOR ADMISSION NO. 30:**

Admit that You have sold Your Products to retailers who also sell Opposer's smoking products bearing the "CITRUS MIST" mark.

**REQUEST FOR ADMISSION NO. 31:**

Admit that You plan to sell Your Products to retailers who also sell Opposer's smoking products bearing the "CITRUS MIST" mark.

**REQUEST FOR ADMISSION NO. 32:**

Admit that You have sold Your Products to retailers who also sell Opposer's smoking products bearing the "PEACH MIST" mark.

**REQUEST FOR ADMISSION NO. 33:**

Admit that You plan to sell Your Products to retailers who also sell Opposer's smoking products bearing the "PEACH MIST" mark.

**REQUEST FOR ADMISSION NO. 34:**

Admit that You have sold Your Products to retailers who also sell Opposer's smoking products bearing the "TROPICAL MIST" mark.

**REQUEST FOR ADMISSION NO. 35:**

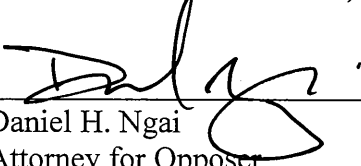
Admit that You plan to sell Your Products to retailers who also sell Opposer's smoking products bearing the "TROPICAL MIST" mark.

**REQUEST FOR ADMISSION NO. 36:**

Admit that the word "MYST" is not descriptive of Your Products.

DATED: June 6, 2016

Respectfully Submitted,  
**THE PATEL LAW FIRM, P.C.**

  
Daniel H. Ngai  
Attorney for Opposer  
Starbuzz Tobacco, Inc.


The Patel Law Firm, P.C.  
22952 Mill Creek Drive  
Laguna Hills, CA 92653  
Telephone: (949) 955-1077  
Facsimile: (949) 955-1877  
DNgai@thePatelLawFirm.com

**CERTIFICATE OF SERVICE**

I certify that a copy of this **OPPOSER STARBUZZ TOBACCO, INC.'S REQUESTS FOR ADMISSION TO APPLICANT PHILIP MELNICK (SET ONE)** is being served via U.S. mail, postage prepaid, on this the 6th day of June, 2016, to the following:

**Applicant's Attorney/Representative:**

PHILIP MELNICK  
PO BOX 131822  
STATEN ISLAND, NY 10313  
UNITED STATES  
philipmelnick@aol.com

  
\_\_\_\_\_  
Mark Uy



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## Available Actions

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DATE & TIME	STATUS OF ITEM	LOCATION
June 29, 2016 , 11:49 am	Delivered, Front Desk/Reception	PORT ORANGE, FL 32128
Your item was delivered to the front desk or reception area at 11:49 am on June 29, 2016 in PORT ORANGE, FL 32128.		
June 29, 2016 , 7:43 am	Arrived at Unit	PORT ORANGE, FL 32127
June 29, 2016 , 4:18 am	Departed USPS Facility	ORLANDO, FL 32824
June 28, 2016 , 9:59 pm	Arrived at USPS Facility	ORLANDO, FL 32824
June 27, 2016 , 10:36 am	Departed USPS Destination Facility	METRO, NY
June 27, 2016 , 10:35 am	Arrived at USPS Destination Facility	METRO, NY
June 25, 2016 , 9:42 pm	Departed USPS Destination Facility	KEARNY, NJ 07032
June 25, 2016 , 9:41 pm	Arrived at USPS Destination Facility	KEARNY, NJ 07032
June 9, 2016 , 9:44 am	Sorting Complete	STATEN ISLAND, NY 10313
June 9, 2016 , 5:34 am	Available for Pickup	STATEN ISLAND, NY 10313
June 9, 2016 , 1:58 am	Departed USPS Destination Facility	METRO, NY
June 9, 2016 , 1:50 am	Arrived at USPS Destination Facility	METRO, NY
June 7, 2016 , 8:51 pm	Departed USPS Origin Facility	ANAHEIM, CA 92899
June 7, 2016 , 8:49 pm	Arrived at USPS Origin Facility	ANAHEIM, CA 92899
June 7, 2016 , 7:34 pm	Accepted at USPS Origin Facility	LAGUNA HILLS, CA 92653

June 7, 2016

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USPS

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Account # 36069569

## Label Details

**Label Number:**[9405803699300258549061](#)**Terms****Acceptance Cutoff:** 06/06/2016 5:30 PM**Acceptance Time:** 06/07/2016 7:34 PM**Scheduled Date:** 06/10/2016 12:00 AM**Delivery Status:** Delivered, Front Desk/Reception  
2016-06-09 05:34:00.0**Label Actions**[USPS Tracking®](#)[Ship Again](#)[Request A Refund](#)**Need help**[File an insurance claim](#)**Return Address:**NATU J PATEL  
THE PATEL LAW FIRM, P.C.  
22952 MILL CREEK DR STE A  
LAGUNA HILLS, CA 92653-1214  
muy@thepatellawfirm.com**Delivery Address:**PHILLIP MELNICK  
PO BOX 131822  
STATEN ISLAND, NY 10313-1822**Package:**Ship Date: 06/06/16  
Value: \$1.00  
From: 92653**Service:**Priority Mail® 3-Day  
Flat Rate Envelope  
USPS Tracking®**Transaction Number:** [376036965](#)**Transaction Type:** Label**Payment Method:** VISA-0901**Payment Status:** Account ChargedPostage Cost \$6.45  
USPS Tracking® Free**Label Total:** \$6.45**Order Total:** \$6.45**Timestamp****Message**

06-06-2016 18:05:51	LABEL PRINTED
06-06-2016 18:05:47	Getting Payment
06-06-2016 18:05:36	Setting Payment

[Back](#)

## **Exhibit B**

## Kunal Jain

---

**From:** Daniel Ngai  
**Sent:** Wednesday, July 13, 2016 4:52 PM  
**To:** PhilipMelnick@aol.com  
**Cc:** Natu Patel; Kunal Jain; Mark Uy  
**Subject:** Re: Starbuzz v. Melnick - RFP, RFA and Interrogatories (TTAB Opposition No. 91214086)

Dear Mr. Melnick:

This e-mail is an attempt to meet and confer with you regarding Starbuzz Tobacco, Inc.'s ("Starbuzz") discovery requests served on you on or about June 6, 2016:

- 1) Requests for Admission, Set One ("RFA");
- 2) Requests for Production, Set One ("RFP"); and
- 3) Interrogatories, Set One ("ROG").

Starbuzz has not received any responses to those discovery requests, which were due on or before July 11, 2016.

Consequently, you have waived your right to raise objections to Starbuzz's RFPs and ROGs. *Barron Phillippe De Rothschild S.A. v. S. Rothschild & Co.* 16 USPQ2d 1466, 1467 n.5 (TTAB 1990). In addition, all responses to Starbuzz's RFAs are deemed admitted. Fed. R. Civ. P. 36(a)(3).

Please send us your responses to Starbuzz's RFPs and ROGs, without objection, by July 15, 2016. Otherwise, we will move forward with motions to compel.

Best Regards,

Daniel H. Ngai  
The Patel Law Firm, P.C.  
22952 Mill Creek Drive  
Laguna Hills, California 92653  
Business: (949) 955-1077  
Facsimile: (949) 955-1877

[www.thepatellawfirm.com](http://www.thepatellawfirm.com)  
E-mail: [DNgai@ThePatellLawFirm.com](mailto:DNgai@ThePatellLawFirm.com)

This message may contain privileged and confidential information. If it has been sent to you in error, kindly advise me of the error and immediately delete the message.

---

**From:** Mark Uy  
**Sent:** Monday, June 6, 2016 5:18 PM  
**To:** philipmelnick@aol.com  
**Cc:** Natu Patel <npatel@ThePatellLawFirm.com>; Mark Uy <muy@ThePatellLawFirm.com>; Daniel Ngai <dngai@ThePatellLawFirm.com>; Kunal Jain <kjain@ThePatellLawFirm.com>  
**Subject:** Re: Starbuzz v. Melnick - RFP, RFA and Interrogatories

Dear Mr. Melnick:

Attached please find the following documents:

1. Starbuzz Tobacco's Requests for Production of Documents (Set One);
2. Starbuzz Tobacco's Interrogatories (Set One); and
3. Starbuzz Tobacco's Requests for Admission (Set One).

These documents were also served to you via mail today.

Should you have any questions, please do not hesitate to contact us.

Best Regards,

Mark Uy  
Legal Assistant  
The Patel Law Firm, P.C.  
22952 Mill Creek Drive  
Laguna Hills, California 92653  
Business: (949) 955-1077  
Facsimile: (949) 955-1877

[www.thepatellawfirm.com](http://www.thepatellawfirm.com)  
E-mail: [MUy@thePatelLawFirm.com](mailto:MUy@thePatelLawFirm.com)

This message may contain privileged and confidential information. If it has been sent to you in error, kindly advise me of the error and immediately delete the message.